

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Manke, Scott G.  
Title: CONTAINER HOLDER PLATFORM  
Appl. No.: 10/768,846  
Filing Date: 01/30/2004  
Examiner: Sorkin, David L.  
Art Unit: 1723  
Conf. NO.: 7603

**ISSUE FEE TRANSMITTAL**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed herewith please find Issue Fee Transmittal Form PTOL-85(B).

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

The Examiner stated the following:

The closest prior art is Hellenberg (US 5,268,620). Regarding independent claims 1 and 20, Hellenberg does not disclose or render obvious the removable platform in combination with the remaining limitations of the respective independent claims. Regarding independent claim 14, Hellenberg does not disclose or render obvious removable structure associated by the instant specification with the function “adjusting height” or an equivalent, in combination with the remaining limitations of the independent claims.

While the Applicant agrees that the allowed claims recite a combination of subject matter that is patentable over the cited references, the Applicant does not necessarily agree with or

acquiesce in the statement of reasons for allowance given by the Examiner. Moreover, the Applicant notes that the recited subject matter as well as various other subject matter and/or combinations of subject matter may be patentable for other reasons than those given by the Examiner. The Applicant expressly reserves the right to set forth additional and/or alternative reasons for patentability and/or allowance in connection with the present Application or in any other future proceeding.

### **REMARKS**

These Comments on Statement of Reasons for Allowance under 37 C.F.R. § 1.104 are intended to be responsive to the Notice of Allowance dated August 7, 2007.

Fees in the amount of \$1,740.00 for payment of the Issue Fee and the Publication Fee are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date : October 31, 2007

By: /James A. Wilke/

James A. Wilke  
Attorney for Applicant  
Registration No. 34,279

FOLEY & LARDNER LLP

Customer Number: 26371  
Telephone: (414) 297-5776  
Facsimile: (414) 297-4900